

## AMENDMENT FORM

### Suggestion for amendment of Article : III-169

By Mr Hain

Status : Member

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1. *Okay.*
  2. A European law shall determine Eurojust's structure, workings, and scope of action *with a view to it carrying out the following* tasks: ~~Those tasks may include:~~
    - (a) proposing the initiation ~~and co-ordination~~ of criminal investigations and prosecutions conducted by competent national authorities, particularly those relating to offences against the financial interests of the Union, and co-ordinating such activities;
    - (b) the strengthening of judicial co-operation, including by resolution of conflicts of jurisdiction and by close co-operation with the European Judicial Network.

A European law shall also lay down the procedures ~~determine arrangements~~ for involving the European Parliament and Member States' national parliaments in the scrutiny and evaluation of Eurojust's activities.
  3. In the prosecutions referred to in this Article, and without prejudice to [Article III-170], formal acts of judicial procedure shall be adopted by the competent national officials.
  4. The Council, acting unanimously after consulting the European Parliament, may confer tasks and powers on Eurojust, in addition to those specified in paragraph 2, on the basis of demonstrable need and taking into account the different European legal traditions and systems.
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### Explanation (if any) :

*In the second paragraph our amendments are designed to clarify and set boundaries on Eurojust's tasks. This is an essential precondition for majority voting. If Eurojust were to have the power as a College to initiate prosecutions as at (a), it would have powers similar to that of a European Public Prosecutor. Eurojust acting as a College should have the power only to ask that an investigation/prosecution is initiated. Eurojust's powers of request and co-ordination should, however, extend beyond prosecutions to cover investigations. This will ensure consistency with the language used in the Eurojust Council Decision and reflects the diversity of the roles of police and*

*prosecutors throughout the EU.*

*Our final amendment reflects the view that the Council should be given the power, acting under unanimity, to confer additional tasks and powers on Eurojust, in order for it to develop effectively in the future.*

